

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
NORTHERN DIVISION**

WAYNE STEWART,

Plaintiff,

v.

NIKKIE FORD,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

No. 2:17-CV-7 NCC

**MEMORANDUM AND ORDER**

Plaintiff, a prisoner, seeks leave to proceed *in forma pauperis* in this civil action under state law for breach of fiduciary duty. Having reviewed plaintiff's financial information, the Court assesses a partial initial filing fee of \$21, which is twenty percent of his average monthly deposit. *See* 28 U.S.C. § 1915(b).

Prisoners must pay the full amount of the \$350 filing fee. After payment of the initial partial filing fee, the prisoner is required to make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account. The agency having custody of the prisoner will deduct the payments and forward them to the Court each time the amount in the account exceeds \$10. 28 U.S.C. § 1915(b)(2).

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's motion to proceed in forma pauperis [Doc. No. 2] is **GRANTED**.

**IT IS FURTHER ORDERED** that the Plaintiff must pay an initial filing fee of \$21 within twenty-one (21) days of the date of this Order. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1) his name;

(2) his prison registration number; (3) the case number; and (4) that the remittance is for an original proceeding.

**IT IS FURTHER ORDERED** that if Plaintiff fails to comply with this Order, the Court will dismiss this action without further proceedings.

Dated this 8<sup>th</sup> day of February, 2017.

/s/ Noelle C. Collins  
NOELLE C. COLLINS  
UNITED STATES MAGISTRATE JUDGE